

(i) Do detailed and ultrasonic inspections of the top and side panel webs of the NWW for cracks.

(ii) Do detailed and surface high frequency eddy current (HFEC) inspections of the top and side panel stiffeners of the NWW for cracks.

(2) Do the inspections specified in paragraphs (f)(2)(i) and (f)(2)(ii) of this AD in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 747-53A2465, Revision 2, dated November 11, 2004. Repeat the inspections thereafter at the intervals specified in paragraphs (f)(2)(i) and (f)(2)(ii) of this AD.

(i) Do external detailed inspections of the top and side panel webs of the NWW (specified as Area 1 and Area 2 in the service bulletin), as applicable, for cracks. Repeat the inspections thereafter at intervals not to exceed 1,000 flight cycles.

(ii) Do internal detailed and surface HFEC inspections of the top and side panel stiffeners of the NWW (specified as Area 3 in the service bulletin) for cracks. Repeat the inspections thereafter at intervals not to exceed 6,000 flight cycles.

**Note 1:** For the purposes of this AD, a detailed inspection is defined as: "An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirrors, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required."

#### New Requirements of This AD

(g) Do an external detailed inspection of the top and sidewall panel webs of the NWW (specified as Area 1 and Area 2 in the service bulletin) for cracks, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin (ASB) 747-53A2465, Revision 4, dated February 24, 2005, at the earlier of the times specified in paragraphs (g)(1) and (g)(2) of this AD. Accomplishment of this inspection terminates the requirements for the inspections specified in paragraphs (f)(1)(i) and (f)(2)(i) of this AD.

(1) At the later of the times specified in paragraph (g)(1)(i) and (g)(1)(ii) of this AD:

(i) Before accumulating 20,000 total flight cycles.

(ii) Within 100 flight cycles or 90 days after the effective date of this AD, whichever occurs first.

(2) At the later of the times specified in paragraphs (g)(2)(i) and (g)(2)(ii) of this AD:

(i) Before accumulating 16,000 total flight cycles.

(ii) Within 1,000 flight cycles after the effective date of this AD.

#### Repetitive Inspections

(h) Repeat the inspection required by paragraph (g) of this AD at the intervals specified in paragraph (h)(1) or (h)(2) of this AD, as applicable.

(1) For airplanes with less than 20,000 total flight cycles as of the effective date of this AD, repeat at intervals not to exceed 1,000 flight cycles until the first inspection after the airplane reaches 20,000 total flight cycles.

(2) For airplanes with 20,000 total flight cycles or more, repeat at intervals not to exceed 500 flight cycles.

#### Ultrasonic Inspections (UT)

(i) Do a UT inspection of the sidewall panel web for cracks, in accordance with Boeing ASB 747-53A2465, Revision 4, dated February 24, 2005, at the later of the times specified in paragraphs (i)(1) and (i)(2) of this AD. Repeat the inspections thereafter at intervals not to exceed 500 flight cycles.

(1) Prior to the accumulation of 20,000 total flight cycles.

(2) Within 100 flight cycles or within 90 days after the effective date of this AD, whichever occurs first.

#### Additional Inspections and Corrective Actions

(j) Except as specified in paragraph (l) of this AD, if any crack is found during any inspection required by this AD, prior to further flight, do any applicable additional detailed inspections of stiffeners and beams and make repairs, in accordance with the Accomplishment Instructions of Boeing ASB 747-53A2465, Revision 4, dated February 24, 2005.

#### Actions Accomplished per Previous Issues of Service Bulletin

(k) Inspections and corrective actions accomplished before January 27, 2005, in accordance with Boeing ASB 747-53A2465, dated April 5, 2001, are considered acceptable for compliance with the corresponding inspections specified in paragraph (f) of this AD. Inspections and corrective actions accomplished before the effective date of this AD, in accordance with Boeing Service Bulletin 747-53A2465, Revision 1, dated October 16, 2003; Revision 2, dated November 11, 2004; and Revision 3, dated December 23, 2004; are considered acceptable for compliance with the corresponding inspections specified in paragraphs (g) and (h) of this AD.

#### Certain Other Corrective Actions

(l) Where the ASB specifies contacting the manufacturer if certain cracking is found, this AD requires repairing the cracking according to a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, or by an Authorized Representative for the Boeing Delegation Option Authorization Organization who has been authorized by the Manager, Seattle ACO, to make those findings. The repair must be accomplished before further flight. For a repair method to be approved by the Manager, Seattle ACO, as required by this paragraph, the Manager's approval letter must specifically refer to this AD.

#### No Reporting Requirements

(m) Although the Boeing ASB specifies that operators should report inspection results to the manufacturer, this AD does not require those inspection results to be reported.

#### Alternative Methods of Compliance (AMOCs)

(n)(1) The Manager, Seattle ACO, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD, if it is approved by an Authorized Representative for the Boeing Delegation Option Authorization Organization who has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the repair must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

#### Material Incorporated by Reference

(o) You must use Boeing Service Bulletin 747-53A2465, Revision 1, dated October 16, 2003; Boeing Alert Service Bulletin 747-53A2465, Revision 2, dated November 11, 2004; and Boeing Alert Service Bulletin 747-53A2465, Revision 4, dated February 24, 2005; as applicable, to perform the actions that are required by this AD, unless the AD specifies otherwise.

(1) The incorporation by reference of Boeing Alert Service Bulletin 747-53A2465, Revision 4, dated February 24, 2005, is approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51.

(2) The incorporation by reference of Boeing Service Bulletin 747-53A2465, Revision 1, dated October 16, 2003; and Boeing Alert Service Bulletin 747-53A2465, Revision 2, dated November 11, 2004; was approved previously by the Director of the Federal Register as of January 27, 2005 (69 FR 76839, December 23, 2004).

(3) To get copies of the service information, contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207. To view the AD docket, go to the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., room PL-401, Nassif Building, Washington, DC. To review copies of the service information, go to the National Archives and Records Administration (NARA). For information on the availability of this material at the NARA, call (202) 741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

Issued in Renton, Washington, on April 13, 2005.

**Ali Bahrami,**

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05-8098 Filed 4-22-05; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2005-20752; Airspace Docket No. 05-ACE-15]

#### Modification of Class E Airspace; Columbus, NE

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Direct final rule; request for comments.

**SUMMARY:** This action amends Title 14 Code of Federal Regulations, part 71 (14 CFR 71) by revising Class E airspace areas at Columbus, NE. A review of the Class E airspace surface area and the Class E airspace area extending upward from 700 feet above ground level (AGL) at Columbus, NE reveals neither area complies with criteria for extensions nor reflects the current Airport reference point (ARP) for the Columbus Municipal Airport. Also, the legal descriptions of both areas are not in proper format. These airspace areas and their legal descriptions are modified to conform to the criteria in FAA Orders.

**EFFECTIVE DATES:** This direct final rule is effective on 0901 UTC, September 1, 2005. Comments for inclusion in the Rules Docket must be received on or before June 10, 2005.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2005-20752/ Airspace Docket No. 05-ACE-15, at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

**FOR FURTHER INFORMATION CONTACT:** Brenda Mumper, Air Traffic Division, Airspace Branch, ACE-520A, DOT Regional Headquarters Building, Federal Aviation Administration, 901 Locust, Kansas City, MO 64106; telephone: (816) 329-2524.

**SUPPLEMENTARY INFORMATION:** This amendment to 14 CFR Part 71 modifies the Class E surface area and the Class E airspace area extending upward from 700 feet AGL at Columbus, NE. An examination of controlled airspace for Columbus, NE revealed that neither airspace area is in compliance with FAA Orders 7400.2E, Procedures for Handling Airspace Matters, and 8260.19C, Flight Procedures and Airspace. The Class E surface area is increased from a 4 mile radius to a 4.7 mile radius of the Columbus Municipal Airport. The extension to the Class E surface area relative to the Columbus VOR/DME 157° radial is decreased in

length from 8.7 miles to 7 miles southeast of the VOR/DME and decreased in width from 2.6 to 2.4 miles each side of centerline. The extension to the Class E surface area relative to the Columbus VOR/DME 317° radial is decreased in length from 10.5 miles to 7 miles northwest of the VOR/DME and decreased in width from 2.6 to 2.4 miles each side of centerline. The Class E5 airspace area extending upward from 700 feet AGL is increased from a 6.6 mile radius to a 7.7 mile radius of the Columbus Municipal Airport. The extension to the Class E5 airspace relative to the Columbus VOR/DME 157° radial is increased in length from 9.5 miles to 11 miles southeast of the VOR/DME and decreased in width from 4.2 to 1.6 miles each side of centerline. The extension to the Class E5 airspace relative to the Columbus ILS localizer course is changed in length from 10.5 miles northwest of the airport to 7 miles northwest of the Platte Center NDB and decreased in width from 4 miles to 3.8 miles each side of centerline. The Columbus Municipal Airport ARP is corrected in both legal descriptions. These modifications bring the legal descriptions of the Columbus, NE Class E airspace areas into compliance with FAA Orders 7400.2E and 8260.19C. Class E airspace areas designated as surface areas are published in Paragraph 6002 of FAA Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, which is incorporated by reference in 14 CFR 71.1. Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraph 6005 of the same Order. The Class E airspace designations listed in this document would be published subsequently in the Order.

#### The Direct Final Rule Procedure

The FAA anticipates that this regulation will not result in adverse or negative comment and, therefore, is issuing it as a direct final rule. Previous actions of this nature have not been controversial and have not resulted in adverse comments or objections. Unless a written adverse or negative comment or a written notice of intent to submit an adverse or negative comment is received within the comment period, the regulation will become effective on the date specified above. After the close of the comment period, the FAA will publish a document in the **Federal Register** indicating that no adverse or negative comments were received and confirming the date on which the final rule will become effective. If the FAA does receive, within the comment

period, an adverse or negative comment, or written notice of intent to submit such a comment, a document withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Interested parties are invited to participate in this rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2005-20752/Airspace Docket No. 05-ACE-15." The postcard will be date/time stamped and returned to the commenter.

#### Agency Findings

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

This rulemaking is promulgated under the authority described in subtitle VII, part A, subpart I, section 40103. Under that section, the FAA is charged with prescribing regulations to assign

the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority since it contains aircraft executing instrument approach procedures to Columbus Municipal Airport.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

■ Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR 1959–1963 Comp., p. 389.

##### § 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9M, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

*Paragraph 6002 Class E Airspace Designated as Surface Areas.*

\* \* \* \* \*

##### ACE NE E2 Columbus, NE

Columbus Municipal Airport, NE  
(Lat. 41°26'53" N., long. 97°20'34" W.)  
Columbus VOR/DME

(Lat. 41°27'00" N., long. 97°20'27" W.)  
Within a 4.7 mile radius of Columbus Municipal Airport, and within 2.4 miles each side of the Columbus VOR/DME 157° radial extending from the 4.7-mile radius of the airport to 7 miles southeast of the VOR/DME, and within 2.4 miles each side of the Columbus VOR/DME 317° radial extending from the 4.7-mile radius of the airport to 7 miles northwest of the VOR/DME. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

##### ACE NE E5 Columbus, NE

Columbus Municipal Airport, NE  
(Lat. 41°26'53" N., long. 97°20'34" W.)  
Columbus VOR/DME  
(Lat. 41°27'00" N., long. 97°20'27" W.)  
Columbus Municipal ILS Localizer

(Lat. 41°26'25" N., long. 97°20'12" W.)  
Platte Center NDB  
(Lat. 41°29'48" N., long. 97°22'54" W.)

That airspace extending upward from 700 feet above the surface within a 7.7-mile radius of Columbus Municipal Airport and within 1.6 miles each side of the Columbus VOR/DME 157° radial extending from the 7.7-mile radius of the airport to 11 miles southeast of the VOR/DME and within 3.8 miles each side of the Columbus Municipal ILS Localizer course extending from the 7.7-mile radius of the airport to 7 miles northwest of the Platte Center NDB.

\* \* \* \* \*

Issued in Kansas City, MO, on April 11, 2005.

Elizabeth S. Wallis,

*Acting Area Director, Western Flight Services Operations.*

[FR Doc. 05–8138 Filed 4–22–05; 8:45 am]

BILLING CODE 4910–13–M

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 54

[TD 9166]

RIN 1545–AX84

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### 29 CFR Part 2590

RIN 1210–AA54

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

#### 45 CFR Part 146

RIN 0938–AL43

### Final Regulations for Health Coverage Portability for Group Health Plans and Group Health Insurance Issuers Under HIPAA Titles I & IV; Correction

**AGENCIES:** Internal Revenue Service, Department of the Treasury; Employee Benefits Security Administration, Department of Labor; Centers for Medicare & Medicaid Services, Department of Health and Human Services.

**ACTION:** Correcting amendment.

**SUMMARY:** This document corrects final regulations that were published in the **Federal Register** on December 30, 2004 (69 FR 78720) governing portability requirements for group health plans and

issuers of health insurance coverage offered in connection with a group health plan.

**DATES:** These corrections are effective February 28, 2005.

#### FOR FURTHER INFORMATION CONTACT:

Dave Mlawsky, Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services, at 1–877–267–2323 ext. 61565; Amy Turner, Employee Benefits Security Administration, Department of Labor, at (202) 693–8335 (not a toll-free number); or Russ Weinheimer, Internal Revenue Service, Department of the Treasury, at (202) 622–6080 (not a toll-free number).

#### SUPPLEMENTARY INFORMATION:

#### Background

The final regulations that are the subject of these corrections are under sections 9801, 9831, 9832, and 9833 of the Internal Revenue Code; sections 701, 731, 732, 733, and 734 of the Employee Retirement Income Security Act; and sections 2701, 2721, 2723, 2791, and 2792 of the Public Health Service Act.

#### Need for Correction

As published, the final regulation contains errors that may prove to be misleading and are in need of clarification.

#### List of Subjects

*26 CFR Part 54*

Excise taxes, Health care, Health insurance, Pensions, Reporting and recordkeeping requirements.

*29 CFR Part 2590*

Continuation coverage, Disclosure, Employee benefit plans, Group health plans, Health care, Health insurance, Medical child support, Reporting and recordkeeping requirements.

*45 CFR Part 146*

Health care, Health insurance, Reporting and recordkeeping requirements, and State regulation of health insurance.

#### Correction of Publication

■ Accordingly, 26 CFR part 54, 29 CFR part 2590 and 45 CFR part 146 are corrected by making the following correcting amendment:

#### PART 54—PENSION EXCISE TAXES

■ **Paragraph 1.** The authority citation for part 54 continues to read in part as follows:

**Authority:** 26 U.S.C. 7805 \* \* \*

##### § 54.9831–1 [Corrected]

■ 1. Section 54.9831–1(c)(3)(iii)(B), the language “of which are for treatment of